

REMARKS

Claims 1-16 are pending in the present application, although claims 9-16 have been withdrawn from consideration. Applicants hereby cancel claim 5 without prejudice. Applicants hereby amend independent claim 1. Applicants submit that no new matter has been added thereby. Support for amended claim 1 is found in the specification at least at paragraphs [0009] and [0041], and in the claims as originally filed. Accordingly, claims 1-4 and 6-8 are now presented for reconsideration.

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by International Publication No. WO 97/27898 to Evard, *et al.* ("Evard"). Claims 4-6 are rejected under 35 U.S.C. § 103(a) over Evard in view of U.S. Patent No. 5,246,445 to Yachia, *et al.* ("Yachia"). Also, claims 7 and 8 are rejected under 35 U.S.C. § 103(a) over Evard in view of U.S. Patent No. 5,645,559 to Hachtman ("Hachtman").

Applicants respectfully traverse these rejections and request reconsideration of the claims in light of the amendments and the following remarks. Each of the outstanding rejections is addressed in the order in which they appear in the Office action.

Rejection under 35 U.S.C. § 102(b)

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Evard. Applicants respectfully traverse this rejection as applied to the claims, as amended.

Amended independent claim 1 recites, in part, a stent comprising a coil segment, "wherein the spaced windings are separated by a distance in the range of from about 4 millimeters to about 10 millimeters." The Office action states that Evard does not disclose windings that are separated by a distance in a range of from about 0.5 mm to about 10 mm (see, the Office action at page 3, lines 3-5). Indeed, Applicants submit that nothing in Evard teaches

or suggests a stent with windings that are separated by a distance in the range of from about 4 millimeters to about 10 millimeters, as recited in amended claim 1.

For at least this reason, Applicants submit that amended independent claim 1 is patentable over Evard. Because claims 2 and 3 depend either directly or indirectly from amended independent claim 1, and include all the limitations thereof, claims 2 and 3 are also patentable over Evard. As such, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection under 35 U.S.C. § 103(a)

Claims 4-6 are rejected under 35 U.S.C. § 103(a) over Evard in view of Yachia, and claims 7 and 8 are rejected under 35 U.S.C. § 103(a) over Evard in view of Hachtman. Applicants have canceled claim 5, thereby rendering the rejection of this claim moot. Claims 4 and 6-8 depend directly or indirectly from amended independent claim 1.

Rejections over Evard in view of Yachia

As previously discussed, amended independent claim 1 recites, in part, a stent comprising a coil segment, “wherein the spaced windings are separated by a distance in the range of from about 4 millimeters to about 10 millimeters,” which Evard fails to teach or suggest. Applicants respectfully submit that Yachia fails to cure the deficiencies of Evard with respect to amended independent claim 1.

Applicants submit that Yachia fails to teach or suggest a stent with spaced windings that are separated by a distance in the range of from about 4 millimeters to about 10 millimeters, as recited in independent claim 1. Rather, Yachia describes a stent with separated windings having only “about 0.1 to about 2.0 mm between the loops of the coil.” See, Yachia at column 4, lines 49-52. Furthermore, Applicants submit that there is no motivation to modify the device of

Yachia to include coil windings spaced by a distance in the range of from about 4 millimeters to about 10 millimeters.

Because claims 4 and 6 depend either directly or indirectly from amended independent claim 1, and include all the limitations thereof, Applicants submit that claims 4 and 6 are also patentable as a matter of law, under 35 U.S.C. § 103(a) over Evard in view of Yachia.

Accordingly, for the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejections over Evard in view of Hachtman

Applicants respectfully submit that Hachtman fails to cure the deficiencies of Evard with respect to amended independent claim 1. In particular, Hachtman does not teach or suggest a stent comprising a coil segment, “wherein the spaced windings are separated by a distance in the range of from about 4 millimeters to about 10 millimeters.” In fact, Hachtman is a mesh stent and does not have any coils.

Because claims 7 and 8 depend either directly or indirectly from amended independent claim 1, and include all the limitations thereof, Applicants submit that claims 7 and 8 are also patentable as a matter of law, under 35 U.S.C. § 103(a) over Evard in view of Hachtman. Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of this rejection.

CONCLUSION

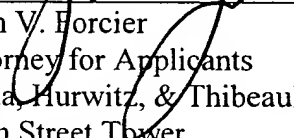
In view of the foregoing, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of claims 1-4 and 6-8 in due course. The Examiner is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

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Respectfully submitted,



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